

**R E M A R K S**

The Examiner is respectfully requested to acknowledge  
(i) applicants claim for priority under 35 USC 119 and  
(ii) receipt of the certified copies of the priority documents.

The Examiner is also respectfully requested to return copies  
of the Forms PTO/SB/08A and PTO/SB/08B filed on October 22,,  
2003, and to indicate thereon that the cited publications were  
considered and made of record.

Restriction was required under 35 USC 121 as follows:

Group I. Claims 46 to 92, drawn to compounds of formula  
(I) and compositions thereof;

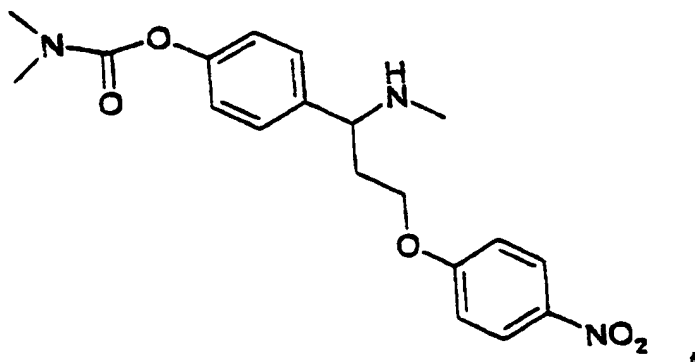
Group II. Claims 93 to 101, drawn to a method of  
inhibiting acetylcholinesterase and selective  
serotonin reuptake;

Group III. Claims 102 to 110, drawn to a method of treating  
or preventing depression, Huntington's chorea,  
Pick's disease, tardive dyskinesia, compulsive  
disorder or panic disorder; and

Group IV. Claims 111 to 118, drawn to a method of treating  
or preventing Alzheimer's disease.

Applicants elect Group I (claims 46 to 92).

In Item No. 4 on pages 3 and 4 of the Office Action, applicants were also requested to elect a single compound. In response to the Examiner's species election requirement, applicants elect the compound of formula 1, wherein  $R^1$  is a dimethylamino group,  $X^1$  and  $X^2$  are both oxygen,  $R_3$  is H,  $R^2$  is hydrogen,  $R^3$  is methyl, A is  $-C_2H_4-$ , E is oxygen and Arom is a phenyl group substituted in the 4 position by an  $NO_2$  group, i.e., the following compound:



The Restriction Requirement concerning the election of a species is respectfully traversed on the ground that it is not a species requirement of the type set forth in the third paragraph

of MPEP 803.02 entitled "PRACTICE RE MARKUSH TYPE CLAIMS". It is respectfully submitted that the practice set forth therein and in the decisions cited in MPEP 803.02 are the proper practice to be applied in the present case and to the extent that the Restriction Requirement is not consistent therewith, it is respectfully traversed.

If, however, the Restriction Requirement is maintained, then taking into consideration that there are generic claims, it is respectfully requested that the provisions of 37 CFR 1.141(a) and the procedure set forth in MPEP 806.04(d) be followed, which provide that once a claim that is determined to be generic is allowed, all of the claims drawn to species, in addition to the elected species, which include all of the limitations of the generic claim, should be allowed.

Reconsideration is requested.

An INFORMATION DISCLOSURE STATEMENT is being filed concomitantly herewith.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Enc.: INFORMATION DISCLOSURE STATEMENT